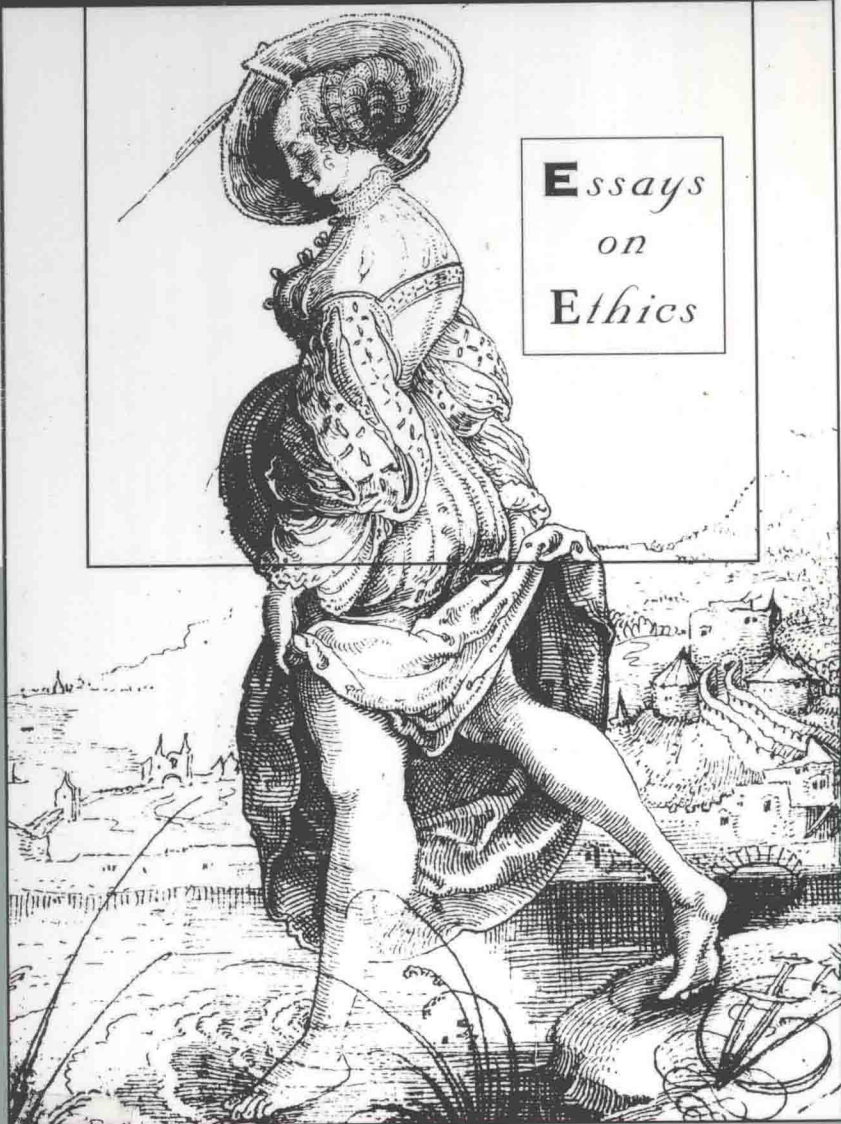


MORAL PREJUDICES

Essays
on
*E*thics



ANNETTE C. BAIER

Now with "A Naturalist View of Persons"

Annette C. Baier

MORAL
PREJUDICES

ESSAYS ON ETHICS

HARVARD UNIVERSITY PRESS
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To my women students,
past, present, and future

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MORAL PREJUDICES

PREFACE

I take the title for this collection from David Hume's early (and later withdrawn) essay "Of Moral Prejudices," which I have long admired and from which I have drawn philosophical sustenance. By dropping Hume's preposition I hope both to lessen the impudence of the borrowing (I was also tempted by his title "Of Impudence and Modesty") and to introduce an intended ambiguity. My essays both concern and display moral prejudices. Because their manner is often not straightforwardly argumentative, they could reasonably be taken as mere rhetorical expressions of my own moral feelings, and of my predilections in moral theory or antitheory. Since my predilections do not always agree with the dominant preferences, many of the essays have as part of their concern to show up the prejudices, in the sense of questionable prejudgments of important issues, that moral theories such as contractarianism rest upon. Like everyone else, I come to moral philosophy with my own prejudgments concerning what is fair and what is unfair, what is cruel and what is humane, what is arrogant, what servile, and what properly self-assertive. I say "I come to moral philosophy" with these already formed judgments, but it is a long time since I first came to it, and the revisions of judgment that have occurred along the way came not only from my philosophical readings, discussions, and reflections but also from my experience as a moral philosopher among moral philosophers and as a female moral philosopher among mostly male moral philosophers.

Most of the essays present views that draw from my reflections on my experience as a woman and as a woman philosopher as well as from my experience as a person capable of sympathy and love. As I say in Essay 2, I see the task of morality to be to improve our lives together, and I do not see separatism as anything but a desperate and temporary measure. However horrifying the record of the past, and it is horrifying, and however persistent into the present the habits engendered in that bad past, the hope that sustains the moral philosopher is the same hope that morality itself is built on, that by taking thought and using our powers of imagination and reflection we can do better, that we can identify the forces that make our lives gentler, more peaceable, and more responsive, and that we can separate out the forces that divide us, that make us angry and violent. Then perhaps we can work out the ways in which the forces that make us gentler might be strengthened, and how they might even inherit the strength of the forces which they have overcome.

As a woman philosopher, I have led a relatively charmed life. I was blessed with parents and sisters who were supportive of my professional ambitions in philosophy, acquired in high school, where an inspiring English teacher, Tracy Gibson, sneaked some Socratic questioning into his literature classes. I was again blessed with encouraging philosophy teachers at the University of Otago and with a splendidly self-confident all-female academic community at Somerville College, Oxford, where my graduate studies took place and where women philosophers such as Philippa Foot and Elizabeth Anscombe made it very clear that the philosophical conversation included women's voices, maybe dulcet but by no means always placatory. That was a good start, and one that made my later experiences of how women academics were regarded in the United States come as a shock. In my first position in the United States, I spent several years as an exploited part-time faculty member at a university which reasonably enough assumed that a woman who took her husband's name and was willing to follow him across the world to his new job would be unlikely to balk at insulting conditions of work. It was one thing to be a woman philosopher in Britain, New Zealand, or Australia. It was another to be a married woman philosopher and to be in the United States. It took me many years to adjust to that, despite my having a gentle, generous, and philosophical husband

and many well-meaning colleagues. The main trouble lay in my own uncertainty as to how care and justice were to coexist. What I learned from my American women students about the obstacles which some of them had had to overcome even to become university students and about the obstacles they continued to face, and what I learned about the difficulties facing younger women colleagues, added to what I was myself experiencing, gave me a belated feminist cause. Earlier I had overoptimistically assumed that women in the Western world had been liberated, that equality of formal rights was enough. (My country, New Zealand, was the first to give women the vote, and I had received more encouragement than discouragement in my professional ambitions.) I discovered that liberation required an ongoing revolution. I also discovered that what Hume calls the “confederacy” that keeps women in servitude gets support from the attitudes of its victims, even when they are discontented victims. It does not take “lordly masters” to oppress women. The customary solicitude of fathers for their daughters’ physical safety, the customary initiative and responsibility of husbands as breadwinners and deciders of domicile, the customary domestic duties of women, and their complaisance in accepting all these customs are quite enough to maintain the underprivileged position of women. The vote has not yet led to the other empowerings to which it could and should lead. Nor is legislation all that is needed if we are to dislodge long-entrenched customs and attitudes. Experiments in living also have to go on. (For a while I experimented with renouncing cooking, an activity in which I had once taken almost as much pleasure and pride as I did in my philosophical endeavors. It takes trial and error to find the right balance.)

Hume’s “Of Moral Prejudices” concerns prejudices regarding the suitability of dependency and independence in men and in women. He describes two people, a man who is emotionally dependent on wife and daughters and an economically independent young Parisian woman who, while resolving not to risk the “tyranny” of a husband, nevertheless selects a suitable young man to be the biological father of her child. He is then paid off with an annuity and denied any further role in the lives of mother and son. He sues, and the essay leaves the case before the courts. Hume frames these moral tales with a general question about the wisdom of the Stoic philosophers’

attempted reforms of what they regarded as “Prejudices and Errors,” their attempted reforms of sentiments condoning dependency, especially in women. His essay, on the face of it, repudiates the “grave philosophic Endeavour after Perfection,” where perfection is construed as Stoic self-sufficiency or independence, and repudiates it whether this endeavor be made by men or by women. But he does, I think, leave the court of the reader’s judgment to give the verdict on just what his own intentions were in drawing these pen portraits of “a Woman of strong Spirit and an uncommon Way of thinking,” a woman who avoids marriage so as not to risk becoming the victim of tyranny, in contrast to a marriage-accepting man who becomes virtually enslaved by his marital devotion, who after his wife’s death wears a miniature picture of her next to his bosom, and who is not so “affectedly philosophical” as to call his devotion “by the Name of Weakness.” Hume is challenging the accepted gender stereotypes under the guise of a recommendation that we not let our philosophic spirit move us to “depart too far from the receiv’d Maxims of Conduct and Behaviour.”

Our received maxims for male and female conduct and behavior have changed considerably since Hume wrote, but our gender stereotypes can still do with the sort of challenge that he administers in this essay. Feminists have not exactly embraced Hume as a friendly prophet, and I probably am in a minority in reading him as a proto-feminist. Essays 4 and 5 give my reasons for seeing him as an ally in the campaign for a morality that is neither prejudiced against women nor prejudiced about the sorts of contribution which women might make both to moral reform and to the reform of moral philosophy. Essay 5, on Hume’s “epistemology,” might from its title appear to be out of place in a collection of essays on ethics, but its contents should reassure the reader on that score. Essay 13 presents Hume as a pioneer in the cause of a gentler morality.

The essays collected here do not add up to a theory, let alone a system. A young Canadian philosopher, after I had given a talk in his department, once asked me, “How does someone who does philosophy your way know what the next topic on her agenda is?” (He himself professed to have a logically ordered list of questions that he intended to address, in their proper order, over the course of his philosophical life.) I was a bit stuck for an answer, but said that topics did somehow seem to present themselves, and to have some

sort of link with topics I had addressed at some earlier point. I think that this young man was charging me with lack of system, and if so, I stand guilty as charged. There is little system in this collection, but there is a running theme concerning women's roles, and there is some development within the essays on trust. To me, at least, there is a clear emergence of that topic out of the essays written earlier and out of my study of Hume's writings. The topics discussed range from violence to love (if indeed that is such a great range), from cruelty to justice (if that range is any greater). The linking thread is a preoccupation with vulnerability and inequality of vulnerability, with trust and distrust of equals and of unequals, with cooperation and isolation. As far as method goes, my use of anecdote, often of autobiographical snippet, is probably the most noticeable and, some will find, objectionable feature. Some will also object to the acerbic treatment given in several essays to Kant's philosophy. I aim there to provoke the Kantians into explaining just how his ethics can escape the charges I make, but there is an admitted contrast between my constructive use of Hume and my destructive use of Kant. My version of Hume of course also invites rebuttals or return mockery from those who admire his ethics as little as I admire Kant's.

Many of these essays were originally prepared as lectures for particular audiences, often at conferences with themes chosen by the organizers or as essays for anthologies on a particular theme, so whatever unity they have certainly does not come from the sort of logical step-by-step progression that my Canadian questioner wanted. Still, the organizers of these conferences and the editors of these anthologies had some reason to think that I might agree to speak on the topics they gave me. In some cases, other people knew better than I what my next move should be, and I am retrospectively grateful to have been nudged into thinking about topics such as terrorism, which, had I been left to my own philosophical devices, I probably would have avoided. It pleases me to think that such unity in variety as these pieces show is not my own unaided doing, but the outcome of a certain degree of mutual trust between myself and fellow philosophers who were willing to encourage, even to prod, me to go in the directions taken. I followed the thought where I was led.

Even after all this help, I have not yet provided the moral philosophy that I would like to have. Very likely I will never provide it. But I am confident that the next generation of women philosophers,

women standing on the shoulders of us older ground-clearing women, will provide it.

I thank the journals and publishers who gave permission for the republication of these essays. I thank the University of Pittsburgh for research time and assistance. I thank Lisa Shapiro for correcting my misquotations and Elizabeth Gretz, of Harvard University Press, for her sensitive editing.

My greatest debt of gratitude is to Collie Henderson, who prepared the manuscript and assembled the pieces that went into making the whole. Without her expert help this book would not have come to be. So involved has she been in the initial production of the individual essays, as well as in their assembly in this book, that I am almost tempted to hold her responsible for the book's shortcomings. Instead we can share the responsibility—the faults are all mine, while any good things in the book should be seen as due to our cooperation in working on it.

Pittsburgh
May 1993

My Commission extends no farther, than to desire a League,
offensive and defensive, against our common Enemies,
against the Enemies of Reason and Beauty,
People of dull Heads
and cold Hearts.

David Hume, "Of Essay Writing"

CONTENTS

| | |
|--|-----|
| <i>Preface</i> | vii |
| 1. What Do Women Want in a Moral Theory? | 1 |
| 2. The Need for More than Justice | 18 |
| 3. Unsafe Loves | 33 |
| 4. Hume, the Women's Moral Theorist? | 51 |
| 5. Hume, the Reflective Women's Epistemologist? | 76 |
| 6. Trust and Antitrust | 95 |
| 7. Trust and Its Vulnerabilities | 130 |
| 8. Sustaining Trust | 152 |
| 9. Trusting People | 183 |
| 10. Violent Demonstrations | 203 |
| 11. Claims, Rights, Responsibilities | 224 |
| 12. How Can Individualists Share Responsibility? | 247 |
| 13. Moralism and Cruelty: Reflections on Hume and Kant | 268 |
| 14. Ethics in Many Different Voices | 294 |
| 15. A Naturalist View of Persons | 313 |
| <i>Notes</i> | 327 |
| <i>Credits</i> | 359 |
| <i>Index</i> | 361 |

WHAT DO
WOMEN WANT
IN A MORAL THEORY?

When I finished reading Carol Gilligan's *In a Different Voice*,¹ I asked myself the obvious question for a philosopher reader: what differences should one expect in the moral philosophy done by women, supposing Gilligan's sample of women to be representative and supposing her analysis of their moral attitudes and moral development to be correct? Should one expect women to want to produce moral theories, and if so, what sort of moral theories? How will any moral theories they produce differ from those produced by men?

Obviously one does not have to make this an entirely a priori and hypothetical question. One can look and see what sort of contributions women have made to moral philosophy. Such a look confirms, I think, Gilligan's findings. What one finds *is* a bit different in tone and approach from the standard sort of moral philosophy as done by men following in the footsteps of the great moral philosophers (all men). Generalizations are extremely rash, but when I think of Philippa Foot's work on the moral virtues, Elizabeth Anscombe's work on intention and on modern moral philosophy, Iris Murdoch's philosophical writings, Ruth Barcan Marcus's work on moral dilemmas, the work of the radical feminist moral philosophers who are not content with orthodox Marxist lines of thought, Jenny Teichman's book on illegitimacy, Susan Wolf's articles, Claudia Card's essay on mercy, Sabina Lovibond's writings, Gabriele Taylor's work on pride, love, and on integrity, Cora Diamond's and

Mary Midgeley's work on our attitude toward animals, Sissela Bok's work on lying and on secrecy, Virginia Held's work, the work of Alison Jaggar, Marilyn Frye, and many others, I seem to hear a different voice from the standard moral philosophers' voice. I hear the voice Gilligan heard, made reflective and philosophical. What women want in moral philosophy is what they are providing. And what they are providing seems to me to confirm Gilligan's theses about women. One has to be careful here, of course, for not all important contributions to moral philosophy by women fall easily into the Gilligan stereotype or its philosophical extension. Nor has it been only women who have been proclaiming discontent with the standard approach in moral philosophy and trying new approaches. Michael Stocker, Alasdair MacIntyre, and Ian Hacking when he assesses the game-theoretic approach to morality,² all should be given the status of honorary women, if we accept the hypothesis that there are some moral insights for whatever reason women seem to attain more easily or more reliably than men do. Still, exceptions confirm the rule, so I shall proceed undaunted by these important exceptions to my generalizations.

If Hacking is right, preoccupation with prisoner's and prisoners' dilemmas is a big boys' game, and a pretty silly one too. It is, I think, significant that women have not rushed into the field of game-theoretic moral philosophy, and that those who have dared enter that male locker room have said distinctive things there. Edna Ullmann Margalit's book *The Emergence of Norms* put prisoner's dilemma in its limited moral place. Supposing that at least part of the explanation for the relatively few women in this field is disinclination rather than disability, one might ask if this disinclination also extends to the construction of moral theories. For although we find out what sort of moral philosophy women want by looking to see what they have provided, if we do that for moral theory, the answer we get seems to be "none." None of the contributions to moral philosophy by women really counts as a moral theory, nor is seen as such by its author.

Is it that reflective women, when they become philosophers, want to do without moral theory, want no part in the construction of such theories? To conclude this at this early stage, when we have only a few generations of women moral philosophers to judge from, would be rash indeed. The term "theory" can be used in wider and

narrower ways, and in its widest sense a moral theory is simply an internally consistent fairly comprehensive account of what morality is and when and why it merits our acceptance and support. In that wide sense, a moral theory is something it would take a skeptic, or one who believes that our intellectual vision is necessarily blurred or distorted when we let it try to take in too much, to be an antitheorist. Even if there were some truth in the latter claim, one might compatibly with it still hope to build up a coherent total account by a mosaic method, assembling a lot of smaller-scale works until one had built up a complete account—say, taking the virtues or purported virtues one by one until one had a more or less complete account. But would that sort of comprehensiveness in one's moral philosophy entitle one to call the finished work a moral theory? If it would, then many women moral philosophers today can be seen as engaged in moral theory construction. In the weakest sense of "theory," as a coherent near-comprehensive account, there are plenty of incomplete theories to be found in the works of women moral philosophers. And in *that* sense of theory, most of what are recognized as the current moral theories are also incomplete, because they do not yet purport to be really comprehensive. Wrongs to animals and wrongful destruction of our physical environment are put to one side by John Rawls, and in most "liberal" theories there are only hand waves concerning our proper attitude toward our children, toward the ill, toward our relatives, friends, and lovers.

Is comprehensiveness too much to ask of a moral theory? The paradigm examples of moral theories—those that are called by their authors "moral theories"—are distinguished not by the comprehensiveness of their internally coherent account but by the *sort* of coherence which is aimed at over a fairly broad area. Their method is not the mosaic method but the broad brushstroke method. Moral theories, as we know them, are, to change the art form, vaults rather than walls—they are not built by assembling painstakingly made brick after brick. In *this* sense of theory—a fairly tightly systematic account of a large area of morality, with a keystone supporting all the rest—women moral philosophers have not yet, to my knowledge, produced moral theories or claimed that they have.

Leaving to one side the question of what purpose (other than good clean intellectual fun) is served by such moral theories, and supposing for the sake of argument that women can, if they wish,

systematize as well as the next man and, if need be, systematize in a mathematical fashion as well as the next mathematically minded moral philosopher, then what key concept or guiding motif might hold together the structure of a moral theory hypothetically produced by a reflective woman, Gilligan-style, who has taken up moral theorizing as a calling? What would be a suitable central question, principle, or concept to structure a moral theory which might accommodate those moral insights which women tend to have more readily than men, and to answer those moral questions which, it seems, worry women more than men? I hypothesized that the women's theory, expressive mainly of women's insights and concerns, would be an ethics of love, and this hypothesis seems to be Gilligan's too, since she has gone on from *In a Different Voice* to write about the limitations of Freud's understanding of love as women know it.³ But presumably women theorists will be like enough to men to want their moral theory to be acceptable to all, so acceptable both to reflective women and to reflective men. Like any good theory, it will need not to ignore the partial truth of previous theories. It must therefore accommodate both the insights men have more easily than women and those women have more easily than men. It should swallow up its predecessor theories. Women moral theorists, if any, will have this very great advantage over the men whose theories theirs supplant, that they can stand on the shoulders of male moral theorists, as no man has yet been able to stand on the shoulders of any female moral theorist. There can be advantages as well as handicaps in being latecomers. So women theorists will need to connect their ethics of love with what has been the men theorists' preoccupation, namely, obligation.

The great and influential moral theorists have in the modern era taken *obligation* as the key and the problematic concept, and have asked what justifies treating a person as morally bound or obliged to do a particular thing. Since to be bound is to be unfree, by making obligation central one at the same time makes central the question of the justification of coercion, of forcing or trying to force someone to act in a particular way. The concept of obligation as justified limitation of freedom does just what one wants a good theoretical concept to do—to divide up the field (as one looks at different ways one's freedom may be limited, freedom in different spheres, different sorts and versions and levels of justification) and at the same time to hold

the subfields together. There must in a theory be some generalization and some speciation or diversification, and a good rich key concept guides one both in recognizing the diversity and in recognizing the unity in it. The concept of obligation has served this function very well for the area of morality it covers, and so we have some fine theories about that area. But as Aristotelians and Christians, as well as women, know, there is a lot of morality *not* covered by that concept, a lot of very great importance even for the area where there are obligations.

This is fairly easy to see if we look at what lies behind the perceived obligation to keep promises. Unless there is some good moral reason why someone should assume the responsibility of rearing a child to be *capable* of taking promises seriously, once she understands what a promise is, the obligation to obey promises will not effectively tie her, and any force applied to punish her when she breaks promises or makes fraudulent ones will be of questionable justice. Is there an *obligation* on someone to make the child into a morally competent promisor? If so, on whom? Who has failed in his or her obligations when, say, war orphans who grew up without parental love or any other love arrive at legal adulthood very willing to be untrue to their word? Who failed in what obligation in all those less extreme cases of attempted but unsuccessful moral education? The parents who didn't produce promise-keeping offspring? Those who failed to educate the parents in how to educate their children (whoever it might be who could plausibly be thought to have the responsibility for training parents to fulfill their obligations)? The liberal version of our basic moral obligations tends to be fairly silent on who has what obligations to new members of the moral community, and it would throw most theories of the justification of obligations into some confusion if the obligation to rear one's children lovingly were added to the list of obligations. Such evidence as we have about the conditions in which children do successfully "learn" the morality of the community of which they are members suggests that we cannot substitute "conscientiously" for "lovingly" in this hypothetical extra needed obligation. But an obligation to love, in the strong sense needed, would be an embarrassment to the theorist, given most accepted versions of "ought implies can."

It is hard to make fair generalizations here, so I shall content myself with indicating how this charge I am making against the cur-